IN THE HIGH COURT OF JUDICAUTRE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. OF 2005
IN
EXECUTION APPLICATION (L) NO. 534 OF 2002
IN
PAUPER PETITION NO. 4 OF 1996
IN
SUIT NO. 3993 OF 1997

Prakash Ganpat Sawant ... Plaintiff

Versus

Ravindra Babaji Satam & Ors. Defendants

Mr. P.G. Sawant, Plaintiff/Applicant present in person.

Mr. P.G. Lad, A.G.P. for Defendant No. 3.

CORAM : A.M. KHANWILKAR,J.
DATED : JUNE 21, 2005

P.C.

. Heard applicant in person.

. On being repeatedly asked, the applicant states that he proposes to take out execution proceedings against decree passed in Suit No. 3993 of 1997. According to him, he is entitled for execution of the decree dated 18.6.1999. This submission, however, overlooks the fact that the order passed on 18.6.1999 is one of dismissal of the suit. In that case, there is no question of execution of decree as is prayed for. The applicant then relied on the order passed by the Division Bench on

4.8.1999 in Appeal No. 760 of 1999 to contend that he is entitled for execution of that order. Even that order records dismissal of appeal preferred by the applicant. In the circumstances, this is one another frivolous and vexatious proceeding taken out by the applicant. Hence, leave rejected.

(A.M. KHANWILKAR,J.)